

## **ORDINANCE 1A - 97**

**AN ORDINANCE PROHIBITING DEPOSIT OF SOLID WASTE FROM COLLECTION VEHICLES (PUBLIC, COMMERCIAL OR PRIVATE) TO MADISON COUNTY'S CONTAINER SITES FOR MOVEMENT TO ANOTHER SOLID WASTE MANAGEMENT FACILITY AND PROHIBITING DEPOSIT OF SOLID WASTE IN EXCESS OF THREE CUBIC YARDS IN ANY SINGLE DEPOSIT AT MADISON COUNTY SOLID WASTE CONTAINER SITES, AND PROVIDING A PENALTY.**

**Definitions** (75-10-103), (2) MCA "Container Site" means a solid waste management facility, generally open to the public, for the collection of solid waste, that is generated by more than one household or firm and that is collected in a refuse container with a total capacity of not more than 50 cubic yards. ARM 17.50.403 (27) "Transfer Station" means a solid waste management facility that can have a combination of structures, machinery, or devices, where solid waste is taken from collection vehicles (public, commercial or private) and placed in other transportation units for movement to another solid waste management facility. "Collection Vehicle" means any motorized vehicle transporting solid waste for a fee.

Whereas the "Powers and duties of local government" (75-10-112), MCA part (16) and (20) includes the duties of Madison County to control the disposition of solid waste generated within the jurisdiction of Madison County; and regulate the siting and operation of Madison County's "container sites".

Whereas Madison County has in place a solid waste disposal system designed for solid waste disposal by Madison County residents in Madison County's "container sites" and not in any "transfer station". By regulation, Madison County has no license to operate a "transfer station".

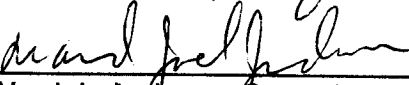
Whereas acceptance of a single deposit of waste from a collection vehicle to one of Madison County's container sites would be in violation of Madison County's authority to collect solid waste. And acceptance of such waste by Madison County would in fact put Madison County in violation and subject to 75-10-228, MCA.

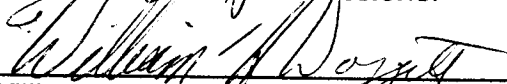
Now, therefore be it ordained as follows:

- 1) No person, or groups of persons may deposit, by means of a collection vehicle, solid waste in any of Madison County's container sites.
- 2) Any solid waste collected by means of a collection vehicle shall transport and dispose such refuse to a licensed Class II landfill for disposal.
- 3) No person or groups of persons may deposit from any single source solid waste in excess of three cubic yards in any one day at any Madison County container site.
- 4) Any solid waste load in excess of 3 cubic yards shall be taken directly to a Class II Landfill for disposal.
- 5) All fees associated with the disposal of solid waste at the licensed Class II Landfill shall be the responsibility of the party involved in collection of said solid waste.
- 6) Any person found guilty of violating this ordinance shall be subject to a fine not to exceed \$500.00, a jail sentence of not more than six (6) months or both such fine and imprisonment, together with such other requirements imposed under law or the Court.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS  
OF MADISON COUNTY, MONTANA ON FIRST READING THIS 3 DAY OF  
FEBRUARY, 1997.

  
C. Ted Coffman, Chairman

  
Ward J. Jackson, Commissioner

  
William H. Doggett, Commissioner

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS  
OF MADISON COUNTY, MONTANA ON THE SECOND READING THIS 18  
DAY OF FEBRUARY, 1997.

  
C. Ted Coffman, Chairman

  
Ward J. Jackson, Commissioner

  
William H. Doggett, Commissioner

FILE 101-B  
ORDINANCE 1A-97

060203

MADISON COUNTY COMMISSIONERS  
TO  
AN ORDINANCE PROHIBITING DEPOSIT OF  
SOLID WASTE FROM COLLECTION VEHICLES ETC.

(ALSO INDEXED IN ORDINANCE BOOK 101)

RECORDER'S OFFICE } ss.  
Madison County, Montana }

Filed FEBRUARY 19th 19 97  
at 12:05 o'clock P.m

PEGGY KAATZ

By *Peggy Kaatz* County Recorder  
Deputy  
Fee \$ NONE